

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

December 16, 1999

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Joe G. Lopez, Deputy Clerk.

F031505 People v. Berry

Cause called and argued by W. Scott Quinlan, Esq., counsel for appellant. Christine Levin, Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

At this point Wiseman, J. leaves the bench and is replaced by Levy, J.

F033470 In re Sylvania M., et al., Minors, ; Stanislaus County Department of Social Services v. Rosalinda M.

Cause called and argued by Patricia Ihara, Esq., counsel for appellant. Linda S. Macy, Deputy County Counsel, counsel for respondent waived oral argument.

Cause ordered submitted.

At this point Dibiaso, Acting P.J. directs Vartabedian, J. to act as Presiding Justice in his absence, leaves the bench and is replaced by Wiseman, J.

F028749 Baker Walnut, Inc. v. Topco Associates, Inc., et al.

Cause called and argued by James L. Sadler, Esq., counsel for appellant Baker Walnut, Inc. and by Michael B. Ijams, Esq., counsel for appellants Topco Associates, Inc. and Ed Kopenec.

Cause ordered submitted.

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Court recessed until Thursday, December 16, 1999 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present:
Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable
Rebecca A. Wiseman, Associate Justice; Honorable Herbert I. Levy,
Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Joe
G. Lopez, Deputy Clerk.

F031368 People v. Jones

Cause called and argued by Ann Hopkins, Esq., counsel for
appellant and by Wayne Strumpfer, Deputy Attorney General, counsel
for respondent.

Cause ordered submitted.

The court adjourns.

F031690 Marriage of Mills

The judgment is reversed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F029758 People v. Graham

The judgment is affirmed with modifications.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F031680) People v. Raja
F032874) In re Shakeel Raja on Habeas Corpus

The judgment is affirmed.

The petition for writ of habeas corpus is denied.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F031736 People v. Gastelum

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F030885 People v. Ortiz

The judgment is affirmed. Buckley, J.

We concur: Ardaiz, P.J.; Thaxter, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F030905 People v. Ackerman, Jr.

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F034232 Rebecca R. v. Superior Court, Tulare County; Tulare Co. Dept. of Health & Human Services

The petition for extraordinary writ is denied.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F032855 In re Larry M., Jr., a Minor.

The jurisdictional finding and the dispositional order as to appellant are affirmed. Levy, J.

We concur: Harris, Acting P.J.; Buckley, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F029817 Sekhon v. Graham

The judgment is reversed. Buckley, J.

We concur: Harris, Acting P.J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F032389 People v. Castillo

The judgment of conviction is affirmed, and the matter is remanded with directions that the trial court stay execution of sentence on count two, impose sentence on count four, prepare an amended abstract of judgment reflecting the modified sentence, and forward a certified copy of same to the appropriate authorities.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F030252 People v. Cintron

Appellant's petition for rehearing filed herein is denied.

F030933 Giuffre v. Sparks; Kern Co. Sheriff's Dept.

The judgment is reversed, and the case is remanded for further proceedings consistent with this opinion. Costs are awarded to appellant. Buckley, J.

We concur: Ardaiz, P.J.; Thaxter, J.

[CERTIFIED FOR PUBLICATION]

F031338 People v. Martinez

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F029918 People v. Auch

The judgment is affirmed. Harris, J.

We concur: Ardaiz, P.J.; Thaxter, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F031301 People v. Ayon

The judgment is affirmed. Levy, J.

We concur: Thaxter, Acting P.J.; Buckley, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F030341 County of Fresno v. Kuckenbacker, et al.

The judgment is affirmed. Costs on appeal are awarded to respondent. Levy, J.

We concur: Dibiaso, Acting P.J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F030826 People v. Anderson

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]